



Patent Serial No. 09/825,373  
Docket No. CARDE.57307

#4  
Election  
J. Boyce  
1/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Esch et al )  
Serial No.: 09/825,673 )  
Filed: 04/03/2001 )  
Title: METHOD AND DEVICE FOR )  
OCCLUDING A VESSEL AND )  
PERFORMING DIFFERENTIAL )  
PERFUSION )

Examiner: Sirmons, Kevin C.  
Art Unit: 3763

I hereby certify that this correspondence is being deposited via First Class Mail in an envelope addressed to The Commissioner for Patents, Washington, D.C. on January 7, 2003

By:   
Gunther Hanke, Reg. No. 32,989

Date of Signature: 1/7/03

Long Beach, California  
January 7, 2003

RESPONSE TO OFFICE ACTION

Box: Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
JAN 15 2003  
TECHNOLOGY CENTER R3700

Sir:

In response to the Restriction Requirement of 12/19/02, Applicants elect without traverse

Invention I, Species I (Figs. 1-5, Claims 27-37, 44-47, and 73-77) for consideration on the merits.

Please correct the dependency of claim 47 so as to depend from claim 27.

If any additional fees are due in this matter, please charge our deposit account 21-0800.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



Gunther Hanke  
Registration No. 32,989

GOH:ke  
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3763

Practitioner's Registration No. CARDE.57307

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Brady Esch, Janine Robinson, John Macoviak, Wilfred Samson, and Eric Olsen

Application No.: 09/825,673

Group No.: 3763

Filed: 04/03/2001

Examiner: Sirmons, Kevin

For: METHOD AND DEVICE FOR OCCLUDING A VESSEL AND  
PERFORMING DIFFERENTIAL PERFUSION

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- \* deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)

- \* with sufficient postage as first class mail.


37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: January 7, 2003

Karen Earl

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	20	- 80	= 0	x \$ 9.00	= \$	0.00	
INDEP.	3	- 8	= 0	x \$ 42.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+ \$ 0.00	= \$	0.00	
TOTAL ADDIT. FEE					\$	0.00	

No additional fee for claims is required.

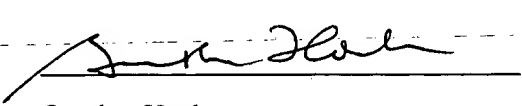
## FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 21-0800.

If an additional fee for claims is required, charge Account No. 21-0800.

Date:

1/7/03

  
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